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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,028	09/29/2003	Gus Alexander	223603	4499

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EXAMINER

HEWITT, JAMES M

ART UNIT PAPER NUMBER

3679

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,028	Applicant(s) ALEXANDER ET AL.	
	Examiner James M Hewitt	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/17/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 1-8 and 10 are objected to because of the following informalities:

In claim 1 line 11, the phrase "mounted in" should be "mounted on" as it is clear from the specification and drawings that the collar is mounted on or about the female fitting and not mounted in the female fitting.

In claim 10 line 6, shouldn't the recited groove reference the groove recited in claim 5?

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Scheiwer (US 2,461,699).

With respect to claims 1-2, 4-8 and 10, Scheiwer discloses a coupling for connecting flexible hoses, the coupling comprising: a one-piece male fitting (1) having an integral ribbed shank portion (6) and a quick disconnect coupling portion; a one-

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piece female fitting having an integral ribbed shank portion (15) and a quick disconnect coupling portion; the female fitting including locking elements in the form of balls (31) that are movable between engaged and disengaged positions in response to movement of the collar (17) between locked and unlocked positions, and engage a groove (3) having tapered sides at opposite axial ends in the stem of the male fitting; the female fitting further including a spring (23) that biases the collar towards the locked position.

Claims 1-2, 4-8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark (US 2,860,893).

With respect to claims 1-2, 4-8 and 10, Clark discloses a coupling for connecting flexible hoses, the coupling comprising: a one-piece male fitting (36) having an integral ribbed shank portion and a quick disconnect coupling portion; a one-piece female fitting having an integral ribbed shank portion and a quick disconnect coupling portion; the female fitting including locking elements in the form of balls (28) that are movable between engaged and disengaged positions in response to movement of the collar (19) between locked and unlocked positions, and engage a groove (37) having tapered sides (38, 39) at opposite axial ends in the stem of the male fitting; the female fitting further including a spring (17) that biases the collar towards the locked position.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scheiwer (US 2,461,699) in view of Lasnier et al (FR 2 569 253).

Scheiwer fails to teach a pair of annular ferrules compressed over a section of flexible hose within which the shank portion of a respective one of the male and female fittings has been inserted. Lasnier et al discloses a similar coupling comprising such ferrules. In view of Lasnier et al's teaching, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Scheiwer to employ a ferrule compressed over each section of flexible hose within which the shank portion of a respective one of the male and female fittings has been inserted in order to ensure that the flexible hoses stay connected to the respective shank portions.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Clark (US 2,860,893) in view of Lasnier et al (FR 2 569 253).

Clark fails to teach a pair of annular ferrules compressed over a section of flexible hose within which the shank portion of a respective one of the male and female fittings has been inserted. Lasnier et al discloses a similar coupling comprising such ferrules. In view of Lasnier et al's teaching, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Clark to employ a ferrule compressed over each section of flexible hose within which the shank portion of a respective one of the male and female fittings has been inserted in order to ensure that the flexible hoses stay connected to the respective shank portions.

Response to Arguments

Applicant's arguments with respect to claims 2-8 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within


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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JAMES M. HEWITT
PRIMARY EXAMINER